

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SIERRA PACIFIC RESOURCES and NEVADA
POWER COMPANY,

Plaintiffs,

v.

EL PASO CORPORATION; EL PASO
NATURAL GAS COMPANY; EL PASO
MERCHANT ENERGY, L.P.; EL PASO
MERCHANT ENERGY COMPANY, a Division
of El Paso Corporation; EL PASO TENNESSEE
PIPELINE COMPANY; EL PASO MERCHANT
ENERGY-GAS, COMPANY; SEMPRA
ENERGY; SOUTHERN CALIFORNIA GAS
COMPANY; SAN DIEGO GAS AND
ELECTRIC; SEMPRA ENERGY TRADING
CORPORATION; DYNEGY MARKETING
AND TRADE; and DOES 1-100,

Defendants.

No. CV-S-03-0414-JCM-(RJJ)

**STIPULATION AND ORDER TO
DISMISS CASE WITH PREJUDICE
AS TO ALL REMAINING
DEFENDANTS (DYNEGY
MARKETING AND TRADE)**

The Honorable James C. Mahan

The remaining parties, through their respective counsel, and in accordance with and subject to the terms of the Mutual Release and Settlement Agreement, dated June 18, 2009, and signed by the parties thereto, hereby stipulate, pursuant to Fed. R. Civ. P. 41(a)(1), that this action is dismissed with prejudice as to all remaining Defendants, including, without limitation, Dynegy

Marketing and Trade, and that each party is to bear its own costs and fees incurred in connection with this matter.

RESPECTFULLY SUBMITTED this 22nd day of June 2009.

JONES VARGAS
Attorneys for NV Energy

By /s/ Gary R. Goodheart
Gary R. Goodheart

LIONEL SAWYER & COLLINS
Attorneys for Dynegy Marketing and Trade

By /s/ Todd F. Kennedy
Todd F. Kennedy

ORDER

UPON STIPULATION of the parties, and good cause appearing therefore, it is hereby ORDERED, ADJUDGED and DECREED that this action be dismissed with prejudice as to all remaining Defendants, including Dynegy Marketing and Trade, each party to bear its own fees and costs associated with said action.

Dated: June 24 , 2009

James C. Mahan
THE HONORABLE JAMES C. MAHAN
UNITED STATES DISTRICT COURT